



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	126	Manual Of Requirements For Family Child Care Registration	8/25/2009
Subchapter:	5	Provider Registration And Operation Procedures	
Section	9	Special requirements to prevent child abuse and neglect (N.J.A.C. 10:126-5.9)	

§10:126-5.9 Special requirements to prevent child abuse and neglect

(a) When the Department of Children and Families determines that an imminent danger or hazard exists that threatens the health or safety of a child in a family child care home, the Office of Licensing may direct the sponsoring organization to deny an application or to suspend, revoke or refuse to renew a Certificate of Registration immediately.

(b) The Office of Licensing may institute a civil action in a court of competent jurisdiction for injunctive relief to enjoin the operation of a family child care home for good cause, including any imminent danger(s) or hazard(s) that threaten the health and safety of the children in the home.

(c) The Department of Children and Families, during the course of investigating an allegation of child abuse or neglect, may determine that corrective action is necessary to protect the children whenever:

1. The provider or another person in the home has been found by the Department of Children and Families to pose a risk of harm to children;
2. An allegation has been received by the Department of Children and Families that the provider or another person in the home has committed an act of child abuse or neglect; or
3. The provider or another person in the home has been convicted of an act of child abuse or neglect.

(d) Whenever the Department of Children and Families determines that such corrective action is necessary to protect the children in the home, the sponsoring organization shall ensure that the provider carries out the Department of Children and Families' recommendation for corrective action. Such corrective action may include:

1. Removal or suspension of the affected person from the home, or reassignment to other duties that do not involve contact with the children; or

2. Removal of the affected person from the home for a period of time extending from one hour prior to the arrival of the children until one hour after the children have left; or

3. Suspension of the provider's Certificate of Registration.

(e) Such removal, suspension or reassignment, as specified in (d) above, shall remain in effect until the results of the Department of Children and Families' investigation have been determined, and a final decision in the matter has been rendered by the Office of Licensing.

(f) If the allegation of child abuse or neglect is substantiated by the Department of Children and Families, the sponsoring organization shall deny the application for registration or suspend, revoke or refuse to renew the Certificate of Registration, as applicable, as specified in N.J.A.C. 10:126-5.3(e) and (f).

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